

En Banc

Vol. 2 No. 5

April 1998

Newsletter of the Superior Court Law Library

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Law Library News

❑ New Services

In an effort to help keep our patrons more informed, we have begun to display decisions from several courts on the bulletin board in the second floor copy room. Using local daily newspapers, the *Arizona Journal*, the *Arizona Capitol Times* and the *National Law Journal*, we will post articles about decisions from the Maricopa County Superior Court, both the Arizona Court of Appeals and Supreme Court, 9th Circuit Court of Appeals and the United States Supreme Court.

Please keep in mind that the opinions themselves may be obtained from the Library. We receive slip opinions from the Arizona Court of Appeals, the Arizona Supreme Court and the 9th Circuit Court of Appeals.

The Law Library also subscribes to a variety of looseleaf services. These services provide a fast method of dissemination of current information by publishing weekly or biweekly reports. Some titles include *U.S. Law Week*, *Family Law Reporter* and *Criminal Law Reporter*. Don't forget about the Internet - there are many web sites that post opinions as well. Check with either the Information Desk or Reference Desk for more information or assistance.

❑ Library Staff

Since our last newsletter, the Library has hired two part-time Law Library Aides. Margarita (Margie) Ayon Bennett began work on March 9. Once the position was offered to her, she couldn't wait to start and really "loves" her job. Margie is married with two children ages 10 and 7. She has lived in Phoenix all her life. Her

experience includes 8 years with the Phoenix Public Library. She also holds down another part-time job with the Department of Economic Security.

Our second new Law Library Aide is Barbara Bouley. Barbara grew up in Phoenix and is a graduate of the Phoenix College Nursing Program. For 17 years, she worked mainly in spinal cord rehabilitation before giving up nursing altogether. She is back at Phoenix College taking classes in foreign language. In her spare time, Barbara does volunteer work plus she enjoys hiking, cycling and reading.

❑ From the Southeast Branch

There are always changes out here at Southeast. One of the most recent changes includes the Arizona Supreme Court's decision to relocate the QuickCourt kiosk to the lobby of the courthouse. The Clerk of the Court has assumed responsibility for the kiosk and does not make appointments which means, "first come first served." This move was made in an attempt to create more exposure for the kiosk.

Another change is with the Self-Service Center (SSC). Beginning February 2, 1998 the SSC started charging \$1.00 per packet for their forms. This will hopefully recoup some of the copy costs associated with providing this useful service.

The most recent change is that we have Bruce Naegeli back here at Southeast on a full-time basis. This helps us out immensely.

❑ Letters From the Med

Greetings from the West Bank. This will

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Newsletter of the
Superior Court Law Library

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be the last article you will have from the Middle East as I will be returning to the Law Library in May. I am looking forward to working on the Reference Desk again and helping all of you upon my return. In the meantime I am continuing my work with Birzeit University and its main library and Law Center. The Law Center has completely revised its Internet web page. This page will provide you with information about the Law Center as well as access to some of its publications. In addition, the Library web page is almost ready. Both of these sites can be accessed via the Birzeit University home page at www.birzeit.edu. This page is also a good place to look for information on the Palestinian point of view towards the ongoing conflicts in this area.

It has been interesting to see, first hand, this conflict and the impact it has had on the region. I just returned from a week in Gaza where I was training librarians on the use of the Internet. Seeing the Gaza Strip was quite an experience. Gaza City is just beginning to build some tall buildings and has a few paved roads, however, most of the roads are dirt and the buildings are in disrepair. Technology is just beginning to come to Gaza, but they are eager to learn more about the Internet and how to use it to locate information. Free access to information has not always been the case in Gaza. One of the librarians I taught was in jail for over a month less than five years ago for having "subversive" political materials in his library. Currently there are regulations on what books can be brought into Gaza, but no one has been put into jail since the Palestinian National Authority has come into being. All in all it was a rewarding week, I learned something and I hope that my class learned something as well.

Other than the weather (El Nino is at work over here as well, dumping rain and snow on the area), I have to say that I have enjoyed my time in the

West Bank and that it was certainly a good learning experience. My work here with the Library and the Law Center has taught me a lot and I am hoping this knowledge will help me to serve you better when I return. I look forward to seeing all of you in May.

Bar News

□ CLE Information

Prosecutors, defense attorneys who try capital cases, appellate attorneys and Rule 32 attorneys should mark their calendars for an upcoming seminar scheduled for Thursday, April 23. *What Every Criminal Lawyer Needs to Know About Capital Rule 32* will be held from 1:30-4:45pm at the Doubletree Hotel in Tucson. For those of you who cannot attend, audioconferencing will be available in Douglas, Flagstaff, Holbrook, Nogales, Phoenix, Prescott, Sierra Vista and Yuma.

This State Bar CLE seminar will cover the "sweeping changes" in the rules governing post-conviction relief and habeas corpus. Along with your registration form, you are invited to submit questions.

You may qualify for up to three hours of CLE credit or Criminal Specialization credit including .5 hours of ethics.

The Maricopa County Bar is offering *Disclosure and Discovery: Civil Litigation in State Court* on Wednesday, April 29 from 2:00-5:15pm. This seminar will be held at the Quality Inn Resort at 2nd Avenue and Osborn and will earn you up to 3 hours of MCLE and 1 hour of ethics. Three attorneys along with the Honorable Colin Campbell will provide an overview of the Zlakert rules including a lawyer's ethical obligation to disclose information in civil litigation.

On April 28 MCBA will host "a must-see for all domestic relations practitioners." *Legislative Update in*

Domestic Relations will focus on both the statutory and case law changes from 1997 to the present. Scheduled from 2-5pm, participants can earn up to 3 hours of MCLE and have an opportunity to engage in a question and answer session.

For additional information on upcoming seminars, visit the State Bar's website at www.azbar.org or see the bulletin board in the copy room on the second floor of the Law Library.

Superior Court Update

You can't help but notice all the work going on around the courthouse and all the detours you've had to take. This "beautification" project was instituted by the Court, David Smith and the Board of Supervisors to enhance the appearance of the Court complex.

According to Steve Granillo, the project coordinator, the project has progressed rather well and should be completed ahead of schedule. Once completed, First Avenue, Third Avenue and Madison Street will have all new landscaping. Madison Street will be restriped and parking will become angular. As a result of the angular parking, Madison Street will gain an additional 40 parking spaces. Because of the higher volume of traffic on Jefferson, angular parking was not an option there. Parking on First Avenue will not change either.

The County has worked closely with the City of Phoenix to complete the project and all sides are pleased with the progress.

Did You Know?

1. It is against the law for a man to make love to his wife with the smell of garlic, onions, or sardines on his breath in Alexandria, Minnesota. Consequently, if a man's wife requests that he brush his teeth, the law mandates that he comply.

2. In Italy, kissing in public is only legal at railroad stations.

3. In Boston, Massachusetts, a city ordinance states that any pickle for sale to the public must bounce four inches when dropped from waist height.

4. In Australia, the names of drunken drivers are published in the local papers with a public announcement under the headline "He's Drunk and in Jail."

5. It is against federal law to impersonate Smokey the Bear. (18 U.S.C. 711).

From: Healey, Paul D. "De Minimis Curat Lex: A Compendium of Legal Trivia." 89 Law Library Journal 55 (1997).

Computer Resources

□ Tech Tips

It seems like everyone is using e-mail as a means of communication these days. But for some of us, all those messages can get a little overwhelming, not to mention disorganized. Is your GroupWise mailbox getting crowded? Would you like a way to organize your e-mail by subject matter? Well, GroupWise allows you to create subfolders in your mailbox so you can put all your messages in their proper place. Here's how it's done:

1. Open GroupWise, then open your In Box.

2. Click on the *File* menu, then click on *Folders*.

3. A Folders box should be open showing your main folder, which is usually your name. Click on the *Create* button at the right side of the Folders box.

4. A Folder Name box should open, showing your main folder as the Folder Path, and below that, a space

where you enter the new Folder Name.

5. Type in the name of your new folder, and click on *OK*. Your new folder should now appear in the Folders box underneath your main folder.

6. You can now create more folders by following the steps 3-5 above, or click on *Cancel* and return to your In Box.

7. To move e-mail messages from your main folder to a subfolder, simply click on the message so it is highlighted, then drag it with your mouse and drop it into the appropriate folder.

Remember, while subfolders can help you get a handle on your e-mail, it is also important to delete those messages you don't need, and periodically empty your trash. Your system administrator will thank you. Happy organizing!

Once you're organized, you may want to take a look at an article entitled "E-Mail Etiquette" which appears in the March/April 1998 issue of *Legal Assistant Today*. While the author's main focus is on using e-mail in a law firm setting, she makes some useful points for all e-mail users. For example, did you know that "using all capital letters implies anger" and is something the "cyberspace community" considers rude? In addition, the author stresses the importance of applying basic writing rules even though "recipients usually forgive typos, misspellings and improper sentence structure." Overall, this short article is worth taking a look at.

□ Internet Site Reviews

Courtroom 21 in the McGlothlin Courtroom: The World's Most Technologically Advanced Courtroom.

<http://www.courtroom21.net/handout.html>

Courtroom 21 is an innovative program with a goal of determining how technology can enhance the courts, improve litigation and the practice of law. Housed in the William & Mary School of Law, a distinguished institution that awarded the nation's first law degree, Courtroom 21 was the recipient of the 1997 Foundation for Improvement of Justice Award. The courtroom has been visited by a myriad of lawyers, "most of the Chief Court Administrators of the states" and legal personnel from virtually every foreign nation. In a two week period, the experimental courtroom was toured by judges from Bulgaria, justices from four different African nations, the Supreme Court of India, the Chief Justices of Norway Ireland, New Zealand as well as judges from England, Scotland and Canada.

All visitors come to see first-hand how to improve their own courts or law practices by integrating computers and other technology. Demonstrations are held on an average of three times a week. In April of 1997, Courtroom 21 tried the simulated case of *Grivens v. Modern Chemical, Inc.* The case, based upon the 1986 tragic Dupont Hotel fire, was presided over by the Honorable Roger Strand, U.S. District Court for the District of Arizona. In this particular demonstration, the results were used to see how both jurors and counsel reacted to the use of technology. It is believed that the jury's comprehension of complicated matters is enhanced by electronically displaying documentary evidence. The jury also seemed to better understand jury instructions when they were displayed as they were read by the judge.

The staff of the project, while limited, will answer telephone, e-mail and mail inquires about the technology used and "also has the capability to supply technology design, design review, installation, installations

supervision, and/or training services to law firms and courts.” The project works with about 40 companies and organizations but those companies do not support the project financially.

By visiting Courtroom 21's web site, you can view pictures of the entire operation and learn even more about the project.

Year 2000.com Law Center

<http://www.year2000.com/y2klawcenter.html>

You may think that the Year 2000 problem, or “millennium bug” is only a concern for tech heads, but as many attorneys are finding out, there are significant legal issues involved as well. To help promote awareness of these issues within the legal community, the *Year 2000 Information Center* web site has created a section called *Year 2000.com Law Center*, which provides information on the legal, accounting and insurance aspects of the Year 2000 problem. The Year 2000 problem, for those that may not have heard of it yet, concerns the fact that many computers and software products were not programmed to deal with four digit dates. Instead, these systems were programmed with the year represented as “YY” with the prefix “19” being assumed. When the year changes from 1999 to 2000, or “99” to “00” these older systems and programs will not know how handle the date, and may miscalculate formulas involving the date, or simply crash the system altogether. Just imagine the implications for things like payroll, banking transactions, air traffic control, traffic lights, and the list goes on.

Year 2000.com Law Center provides an interesting and informative group of articles dealing with the legal and financial implications of the Year 2000 problem, most of them written by attorneys from the law firms which sponsor this site. Also provided are links to Year 2000 related articles

selected from a wide variety of online news sources dating back to November 1996. These articles discuss many of the key legal issues associated with the Year 2000 problem, and provide current information on lawsuits which are already being filed over Year 2000 issues.

If you are interested in how some law firms are working on the Year 2000 problem, links to the sponsoring law firm's web sites are available. These are firms that are involved in Year 2000 issues, and their web pages provide further information on the legal issues associated with this problem.

Finally, for those of you who just have to know, the header of this site provides an up-to-the-second countdown of how much time we have left until Jan. 1, 2000.

The Animal Rights Law Center of Rutgers University

<http://www.animal-law.org/>

In the wake of a number of high profile cases of outrageous animal cruelty, both in Phoenix and nationwide (the Noah's Ark Shelter case in Iowa, for example), this website is a joy to those interested in protection of our four-legged friends. The Center was founded in 1990 by a professor at Rutgers Law School. The Center provides educational and legal materials to the community for free, and the majority of them can be found at this website. Such material includes: anti-cruelty statutes for every state; laws on pets in rental housing; and federal acts protecting wildlife and domestic animals. It also contains the *Rutger Animal Rights Law Reporter*, which contains full text opinions from state and federal court cases in which animals were involved. There are many other enjoyable features, including a regular on-line commentary by the founder of the Center. This site is searchable and if you leave your E-mail address, you can be notified

when the page is updated with new material.

Publications of Interest on the Internet

Lederer, Fredric I. “Courtroom Technology From the Judges’ Perspective: A Brief Review of Courtroom Technology of Particular Interest to the Trial Judge.”

<http://www.courtroom21.net/judicial.html>

This publication examines courtroom technologies and asks how these advancements can help judges achieve the goal of making the administration of justice “more certain, more accurate, faster, and less expensive.”

The author begins by discussing the importance of accessible and accurate court records and briefly discusses three alternative ways of making more useful records - real-time, video and digital audio. Next the author touches upon document imaging and states that “a significant time savings results” with its use. He also covers “evidence presentation systems,” and “video first appearances, hearings and testimony.”

While all these technological tools can improve “adjudication accuracy,” it is important to remember the words of Chief Justice Burger who said, “concepts of justice must have hands and feet...to carry out justice in every case in the shortest possible time and the lowest possible cost. This is the challenge to every lawyer and judge in America.”

Mr. Lederer concludes by saying that while technology can improve the system, judges need to play a major role in the selection and implementation of these tools.

New Materials in the Library

Book Reviews

OK, OK! I'm sorry I didn't provide you with a review last time. Will you ever forgive me? I'm here now. OK, enough groveling! Let's get down to business. I bet you're wondering where the information about this month's book is, aren't you? Surprise! This time around I thought I'd review a collection of books instead of just one. (OK, so it was really Susan's idea!)

I bet you think law libraries are pretty boring places? Tell the truth! I think they are! OK, so we don't have the latest best sellers lined up for your reading pleasure, but we do have some very interesting books. Care to read about espionage? How about a good homicide (is there really such a thing?)? Maybe treason is more your style? Kidnaping? Intrigued? Where might you find these tidbits of fascinating information, you ask? Get thyself to the 2nd floor! First aisle on the west side. Look for the KF 224's et seq. So begins your journey into courtroom dramas. Trials of every variety. Want to read more about Bernard Goetz (remember him? The subway shooter.)? Try *A Crime of Self-Defense: Bernard Goetz and the Law on Trial* by George P. Fletcher (KF224 .G63 F54 1988). Remember John Hinckley Jr.? Try *The Insanity Defense and the Trial of John W. Hinckley Jr.* by Lincoln Caplan (KF224 .H56 C36 1984). How about *Everyday Death: The Case of Bernadette Powell* by Ann Jones (KF224 .P63 J66 1985). Don't know who she is? Take heart. Neither did I until I read a little of the book. She was convicted of killing her ex-husband who allegedly beat her.

Want some Arizona cases? How about *False Arrest: The Joyce Lukezic Story* by Joyce Lukezic (you'll have to wait until I'm finished with this one to read it, but you'll find it in the Arizona collection at HV9956 .P54 L85 1990). There's *Death of a "Jewish American Princess": The True Story of a Victim on Trial* by Shirley Frondorf (KFA2967 .H6 F76 1988) or *Winnie Ruth Judd: The*

Trunk Murders by J. Dwight Dobkins and Robert J. Hendricks (HV6248 .H427 S76 1982) or *The Pied Piper of Tucson* by Don Moser and Jerry Cohen located at HV6534 .T8 A6 1976b.

And, to save the best for last, as the saying goes, how about the third floor of the library? Have you been up here lately? Look in the display case just off the elevator - the one across from the conference room. You will find an abundance of books (many of them graciously donated by Judge Elizabeth Stover) dedicated to famous, and some not so famous, trials (46 books to be exact. Yes, I just counted them!). *The Scopes Trial, The Impeachment of Andrew Johnson, The Trial of Queen Anne*, and on and on.

So? Are we really that boring a place? Don't answer that, just read the books! See you next time!

□ Article Reviews

Johnson, Ralph W. "Indian Tribes and the Legal System." 72 *Washington Law Review* 1021 (1997).

In this article, University of Washington Professor Ralph Johnson examines how American law has changed for the Native American people. Johnson shows how the law, once used against the Indian tribes, has now become a means of protecting tribal interests. Section I surveys the early relationship of Native Americans and the federal government. Departing from an early policy of negotiation and treaties, the U.S. later used federal law to justify removing and resettling the tribes. In the late 1800's, federal legislation and the courts furthered the government's goal of dividing reservation land into individual parcels and setting up tribal courts based on U.S. law, policies which decreased Indian-held lands by two-thirds and diminished the judicial influence of the medicine

man.

Johnson then considers the flaws in the government's trust relationship with the Indians. By its terms, the trust relationship required the government and the courts to act in the tribes' best interests. In practice, however, Supreme Court decisions granted Congress an increased legislative power over Native Americans and weakened Indian protection. The government agencies created to preserve Indian rights also suffered from conflicting goals and failed to enforce legitimate grievances.

Since the 1960's however, Indian tribes have transformed their position in American law. In the third section, Professor Johnson explores how federal legislation allowing Indian tribes greater access to the district courts; programs encouraging Native American practice of law; increased focus on federal Indian law, and improved tribal court systems have contributed to the development of Indian law and to lawyers devoted wholeheartedly to tribal interests. These achievements in turn resulted in increased representation for Indian tribes, and in the creation of service organizations such as the Native American Rights Fund, dedicated to promoting tribal existence, defending human rights, and preserving natural resources. Thanks to these changes Native Americans can now use U.S. law to defend their interests. Though the author claims to focus on the lawyer's role in Indian law, this article nicely summarizes the gradual recognition of Indian rights and the evolution of a new field of law.

R. Timothy Muth & Colleen D. Ball, "Wisconsin's Voyage to Computerized Courts." 71 *Wisconsin Lawyer* (February 1998).

John E. Domino, "The Adoption of Court Technology in the Texas Trial Courts." 19 *Justice System Journal* 245 (1997).

Muth and Ball recount the Wisconsin judiciary's difficulties in sustaining funding for its Circuit Court Automation Project. In 1989, the state's courts, governor and legislature agreed on a special general fund account, derived from a portion of civil action filing fees. Four years later, the fund had accumulated five million dollars, and the automation projects were well underway. But in 1993, the executive branch determined that the judiciary did not need that money to implement and support the automation project "as it was originally envisioned," and the legislature enacted a law that diverted three million dollars from the fund. In an unusual procedure, a Circuit Court judge filed a class action on behalf of all citizen users of the court system, challenging the funding diversion. A second Circuit Court ultimately found the diversion against fundamental public policy. That decision is now before the Wisconsin Supreme Court.

While the article is interesting for its troubling look at the political pitfalls that may await even established, generally supported, automation projects backed by dedicated funding mechanisms, it is also marred by a technological evangelism that often plagues discussions of court and law practice automation. And these authors are badly plagued. The future is here, everything is available at the click of a mouse, all work is done in a few minutes by a few keystrokes. If it's electronic, its advantages are obvious. The authors' affliction extends to this loving description of "auto clerk" kiosks: "They can answer questions - in English or Spanish. They are prompt, patient, polite and efficient. They do not discriminate by race, gender or social status. And best of all, they never have a bad day."

Domino's article in contrast avoids straying so far from reality, at least as represented by the results of his survey of the Texas judiciary. The

survey was designed to inventory existing technologies in the Texas trial courts, and to measure the attitudes of judges and court managers toward automation. Among the author's findings: contrary to anecdotal evidence and expectations, Texas judges and court professionals are not resistant to technology, are eager to adopt new technologies, and believe that technology has had a positive effect on both day-to-day court management and on their professional lives and responsibilities. The resistance of those most suspicious of automation was thought to result from a paucity of consistent, useful information. The author discusses the responses to questions on specific technologies and applications, including document storage, case management, bench top computers, jury management, court reporting, and public access computers and kiosks, and finds a generally high level of satisfaction with each.

Recent Court Decisions

***Oncale v. Sundowner Offshore Services, Inc.* U.S. Supreme Court, No. 96-568.**

On March 4, 1998 the United States Supreme Court, in a unanimous decision and in a reversal of the 5th Circuit Court of Appeals, held that workers who are harassed by the same sex are afforded protection under Title VII of the Civil Rights Act of 1964.

Joseph Oncale, a offshore oil rig worker, claimed he was "sexually assaulted, battered, touched and threatened with rape" by other male co-workers. His employer Sundowner, portrayed the conduct as "hazing or horseplay."

In its ruling, the Court reasoned that "Title VII's prohibition against sexual harassment extends to any harassment that is discriminatory and so objectively offensive that it alters

the victim's conditions of employment" and that "sexual harassment of any kind is illegal."

***State v. Garcia-Contreras*, 262 Ariz. Adv. Rep. 13 (1998).**

In another unanimous decision, this one by the Arizona Supreme Court, defendant Gregorio Garcia-Contreras had his 1992 conviction on child molestation and child abuse reversed. The Supreme Court held that he had been deprived of his constitutional right to be present during jury selection.

At the beginning of the trial, the defendant was waiting for a relative to bring him "civilian clothing." When the clothing did not arrive, defense counsel requested a short delay and advised his client not to appear in his jail clothing because of the impression it would make upon the jury. The request was refused and jury selection began in the defendant's absence. The question on appeal is whether the defendant's non-appearance was voluntary or involuntary.

Writing for the Court, Chief Justice Zlaket said "voluntary choice presupposes meaningful alternatives" and "having to appear in jail clothes was not a meaningful alternative." His decision not to appear was made on the advice of his attorney and his absence from the courtroom "hurt his image in the eyes of the jurors who were selected, appearing as if he didn't take the trial seriously." The defendant was forced to choose between to "equally objectionable alternatives."

□ In Other States

State Bar of California, Proposed Formal Opinion Interim No. 95-015.

The State Bar of California has released a proposed formal opinion addressing the ethical considerations arising from operation of a toll-free telephone consultation service to

provide answers to legal questions in landlord and tenant matters. The service's initial tape recorded advisory message states, among other things, that the attorney providing the consultation will not be "representing" the caller, but only providing telephone consultation. The proposed opinion concludes that attorney-client relationships are being formed by the service; that even if no relationship is formed, professional responsibilities may still exist, including the duties to avoid representation of adverse and conflicting interests, to maintain client confidentiality, and to act competently. The pre-recorded advisory message may be inadequate to limit the scope of the relationship, or relieve the attorneys' duty to act competently.

The proposed opinion may be found at:

www.calbar.org/2bar/3com/3cp9810a.htm

Texas Supreme Court Unauthorized Practice Hearing

The slogan, "Don't Mess With Texas" just took on a whole new meaning. The Supreme Court of Texas is investigating legal publisher, Nolo Press, to determine if it is engaging in the unauthorized practice of law.

Nolo Press was started in 1971 by two legal aid lawyers who became fed up with the fact that the average American could not find affordable legal information and advice. It was then that Ralph Warner and Steve Elias, the founders, started writing plain-English law books for non-lawyers.

Texas has a strict unauthorized practice of law statute which can be found in Vernon's Texas Code Annotated, Government Code §81.101. The Unauthorized Practice of Law Committee for the State of Texas will hold a hearing in August "to investigate and consider allegations that Nolo Press may have engaged in the unauthorized practice of law." The committee is holding the

hearing because of a "complaint" although they have not stated why the complaint was brought or who brought it.

Nolo Press used the words "lawyer monopoly" and "Kafkaesque" when commenting on the investigation. Texas' UPL statute dates back to the Depression and was drafted to "protect the legal profession from competitors." Citing to the First Amendment and the protection it provides, Nolo Press feels that even if Texas uses its unauthorized practice of law statute, it may be impossible to enforce.

Interestingly enough, in every state where courts have considered the matter, "they have refused to include published materials in their definition of what it means to practice law." Every state that is except Texas.

We'll certainly follow this story and keep you posted. In the meantime, why not stop by the first floor of the Library and check out our collection of Nolo Press titles!

□ Recently Received Books

Bailey, Henry J.
Brady on Bank Checks, 7th rev. ed.
Warren Gorham & Lamont
KF 960 .B35

Boutros, Theodore J.
*State Judiciaries & Impartiality:
Judging the Judges*
National Legal Center for the Public
Interest
KF8785 .Z9 S72 1996

Blanchette, Janis LaRoche
*California Real Property Sales
Transactions, 3rd ed.*
Continuing Education of the Bar -
California
KFC169 .C35

Culhane, Kevin R.
Model Interrogatories, 2d ed.
James Publishing
KF 8900 .C84

Denenberg, Tia Schneider
*Attorney's Guide to Drugs in the
Workplace*
American Bar Association
KF3540 .Z9 A88 1996

Imwinkelried, Edward J.
*The Methods of Attacking Scientific
Evidence, 3rd ed.*
Lexis Law
KF8961 .I45 1997

Kaye, Harvey
International Trade Practice, 2nd ed.
West Group
KF6659 .K392

Lowe, Jennifer
*The Supreme Court and the Civil
War*
The Supreme Court Historical
Society
KF8742 .S9115 1996

McClung, Paul J.
*Texas Criminal Jury Charges, 1997-
98 Ed.*
James Publishing
KFT1783 .M3

Peschel, John L.

*Federal Taxation of Trusts, Grantors
& Beneficiaries, 3rd ed.*
Warren Gorham & Lamont
KF6443 .P45

*Planning Guide for Using the Trial
Court Performance Standards &
Measurement System*
Bureau of Justice Assistance
KF8732.A73 P53 1997

*Private School Law in America, 9th
ed.*
Data Research, Inc.
KF4220 .P75 1998

Rothstein, Mark A.
*Occupational Safety & Health Law,
4th ed.*
West Group
KF3570 .R67 1998

*Trial Court Performance Standards &
Measurement System*
Bureau of Justice Assistance
KF8732 .T735 1997

*Trial Court Performance Standards &
Measurement System
Implementation Manual*
Bureau of Justice Assistance
KF8732.A73 T75 1997

*Trial Court Performance Standards
with Commentary*
Bureau of Justice Assistance
KF8732 .T74 1997

Zeese, Kevin B.
*Drug Testing Legal Manual &
Practice Aids, 2nd ed.*
West Group
KF3890 .Z442

□ Recent Articles: Evidence

Amar, Akhil Reed. "Diary Entry:
When May a Man's Private Writings
Be Allowed as Evidence to Put Him
to Death?" *Los Angeles Daily
Journal* 6 (January 13, 1998).

Bell, David A., Margaret M. Koesel
and Tracey L. Turnbull. "Let's Level
the Playing Field: A New Proposal
For Analysis of Spoliation of
Evidence Claims in Pending
Litigation." 29 *Arizona State Law
Journal* 769 (Fall 1997).

"Breyer Endorses Judges' Reliance
on Experts to Sort Technical Data
But Justice Says Practice Should Not
Be Used Widely." *Baltimore Sun* 3A
(February 17, 1998).

Brimacombe, C. A. Elizabeth. "Is
Age Irrelevant?: Perceptions of
Young and Old Adult Eyewitnesses."
21 *Law & Human Behavior* 619
(December 1997).

Cooper, Claire. "DNA Evidence
Goes Before the State Supreme
Court." *Fresno Bee* B5 (February 11,
1998).

"DNA From Dog's Blood to Help
Build Murder Case - Judge Rules the
Evidence, a Possible U.S. First, is
Admissible in Trial." *Milwaukee
Journal Sentinel* 20 (March 13,
1998).

"Element of Doubt Seeps Into
'Foolproof' DNA Test." *Guardian* 004
(February 18, 1998).

Everhart, Stephen Michael. "Putting
a Burden of Production on the
Defendant Before Admitting
Evidence That Someone Else
Committed the Crime Charged: Is It
Constitutional?" 76 *Nebraska Law
Review* 272 (1997).

Hayward, Ed. "Blood Samples First
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